

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTOLIN ANDREW MARKS,

Plaintiff,

v.

DE GUIA *et al.*,

Defendants.

Case No. C07-5667BHS/JKA

ORDER LIFTING STAY

This action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4.

The stay entered in this action on December 19, 2007, (Dkt # 13) is now removed. Subsequent to this action being stayed the majority of the named defendants entered into an stipulated settlement. The remaining defendants are either federal or county entities. The federal defendants are Melendez, Garman, and Johnson. The county defendants are the Pierce County Sherif and unnamed officers.

Ripe for consideration is Pierce County's motion to dismiss based on lack of personal service and for failure to state claim. That motion will be addressed in a Report and Recommendation.

The clerk's office is directed to send copies of this order to plaintiff and counsel for defendants.

DATED this 29 day of January, 2008.

/S/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate